

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOLIE D. SILVERSTEIN,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

21-CV-3207 (LTS)

ORDER DIRECTING PAYMENT OF FEES
OR IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed without prepayment of fees, that is, *in forma pauperis* (“IFP”) submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted her complaint with a personal check in the amount of \$400.00. On December 1, 2020, the administrative fee to file a civil action increased from \$50.00 to \$52.00, bringing the total fees to file a new action to \$402.00. Payment of the filing fees must be made by certified check or money order, payable to: Clerk of Court – SDNY, and can be mailed to: Cashiers Unit – Room 260, 500 Pearl Street, New York, NY 10007. Any certified check or money order must include Plaintiff’s case number, 20-CV-3207 (LTS). The Cashiers Unit is directed to return the \$400.00 personal check to Plaintiff at the address indicated on Plaintiff’s complaint.

Within thirty days of the date of this order, Plaintiff must either pay the \$402.00 in fees or submit the attached IFP application. If Plaintiff submits the IFP application, it should be labeled with docket number 20-CV-3207 (LTS). If the Court grants the IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

CONCLUSION

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. No summons shall issue at this time. Within thirty days of the date of this order, Plaintiff must either pay the \$402.00 in fees or submit the attached IFP application.

If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Cashiers Unit is directed to return the \$400.00 personal check to Plaintiff at the address indicated on Plaintiff's complaint.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: April 14, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge